

MEMORANDUM ENDORSED

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March 19, 2024

VIA ECF

The Honorable Gregory H. Woods
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007-1312

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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Re: *United States v. Ivo Bechtiger et al.*, No. 20 Cr. 497 (GHW)

Dear Judge Woods:

This firm represents Daniel Wälchli, the defendant in the above-captioned matter. Pursuant to your Honor's Individual Rules of Practice, we write to request permission to file under seal a redacted version of Mr. Wälchli's sentencing submission.

Contemporaneously with the filing of this letter, we are submitting to the Court via email an unredacted version of our sentencing submission consisting of our sentencing memorandum, accompanying letters, and exhibits. We will also deliver a copy of the documents to the government via email and courtesy copies to Chambers by hand. As directed by Rule 7 of the Court's Individual Rules of Practice in Criminal Cases, we have identified the proposed redactions in the memorandum and the accompanying letters by using grey and blue highlighting.

We have used grey highlighting to identify the proposed redactions for which Court approval is not required pursuant to Rule 7(C)(i) of the Court's Individuals Rules of Practice and Rule 21 of the S.D.N.Y. ECF Rules & Instructions.

We have used blue highlighting to identify all other proposed redactions. These proposed redactions include information that was previously filed under seal, including the names of

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unindicted co-conspirators identified by the government in its bill of particulars and the names of certain taxpayers who have not been identified in public filings. *See* Gov. Bill of Particulars, No. 20-cr-497 (Jan. 19, 2023) (“Because this filing implicates the privacy and reputation interests of uncharged third parties, the Government respectfully requests that it be filed under seal.”); *see also* Justice Manual § 9-27.760 (describing the Department of Justice’s policy of not naming unindicted co-conspirators in public filings); *cf.* 26 U.S.C. § 6103.

If the Court approves this application, we will file a redacted copy of our sentencing submission on the public docket.

Thank you for your consideration of this request.

Respectfully submitted,

/s/ Jeremy H. Temkin

Jeremy H. Temkin
Richard F. Albert
Joshua Philip Bussen
Counsel to Daniel Wälchli

cc: AUSA Olga Zverovich (by ECF)
SAUSA Nanette Davis (by ECF)

Application granted in part. Defendant is directed to file the proposed redacted version of its sentencing submission on the public docket promptly and in any event no later than March 23, 2024. The Court is not now deciding that the proposed redactions are appropriate; it will make that determination separately. In the interim, the proposed redacted version should be available for public review.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 102.

SO ORDERED.

Dated: March 20, 2024
New York, New York



GREGORY H. WOODS
United States District Judge